

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled NITRIC OXIDE DONOR COMPOSITION AND METHOD FOR TREATMENT OF ANAL DISORDERS, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: NONE

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: U.S. Application Serial No. 08/250,555, filed May 27, 1994 and entitled "A Pharmacological Preparation for the Treatment of Anal Disorders".

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and to file and prosecute any corresponding foreign applications, including any international applications under the Patent Cooperation Treaty or the European Patent Convention: J. David Wharton, Reg. No. 25,717; Don M. Bradley, Reg. No. 22,412; Michael B. Hurd, Reg. No. 32,241; Joan Optican Herman, Reg. No. 31,968; Patrick A. Lujin, Reg. No. 35,260; Michael J. Gross, Reg. No. 35,528; and D. Bartley Eppenauer, Reg. No. 35,499, telephone number (816) 474-6550. Address all correspondence to: SHOOK, HARDY & BACON P.C., One Kansas City Place, 1200 Main Street, Kansas City, Missouri 64105-2118.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature:

Stephen R. Gorfine, RD 1/5/95
Stephen R. Gorfine Date

Residence: New York county, New York
Citizenship: United States of America
Post Office Address: 1215 Fifth Avenue
New York, New York 10029

10029-1215-1001

on

March 23, 1998

TOWNSEND and TOWNSEND and CREW LLP

By _____

PATENT

In re application of:

STEPHEN R. GORFINE

Examiner: Unassigned

Application No. 08/970,447

Art Unit: Unassigned

Filed: November 14, 1997

REVOCATION AND SUBSTITUTION OF
POWER OF ATTORNEY UNDER 37

For: NITRIC OXIDE DONOR
COMPOSITION FOR TREATMENT
OF ANAL DISORDERS

C.F.R. § 1.36

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.36, Cellegy Pharmaceuticals, Inc. revokes all previous powers of attorney and hereby appoints the following to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

William M. Smith
Req. No. 30,223

Karen B. Dow
Reg. No. 29,684

Joe Liebeschuetz
Reg. No. 37,505

Margaret A. Powers
Reg. No. 39,804

STEPHEN R. GORFINE
Application No. 08/970,447
Page 2

PATENT

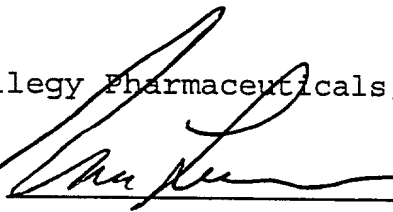
Please direct all future correspondence regarding the
subject application to:

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834

(415) 576-0200

Cellegy Pharmaceuticals, Inc.

Date: Feb. 23, 1998

By: 

Title: VP R&D

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Applicant: GORFINE, Stephen R.

Application No. 08/970,447 Filed: November 14, 1997

For: NITRIC OXIDE DONOR COMPOSITION FOR TREATMENT OF ANAL DISORDERS

CELLEGY PHARMACEUTICALS INC., a CORPORATION

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is assignee of the patent application identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: Stephen R. Gorfine To: Neptune Pharmaceutical Corporation
The document was recorded in the Patent and Trademark Office at
Reel 7374, Frame 0516, or for which a copy thereof is attached.
2. From: Neptune Pharmaceutical Corporation To: Cellegy Pharmaceuticals, Inc.
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : February 23 1998
Name : Michael L. Francoeur
Title : VP R&D
Signature : [Signature]

PATENT ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, the person(s) named below (referred to as "ASSIGNOR" whether singular or plural) has sold, assigned, and transferred and does hereby sell, assign, and transfer to Cellegy Pharmaceuticals, Inc., a California corporation, having a place of business at 1065 East Hillsdale Boulevard, Suite 418, Foster City, CA 94404 ("ASSIGNEE"), for itself and its successors, transferees, and assignees, the entire worldwide right, title, and interest in all inventions and improvements ("SUBJECT MATTER") that are disclosed in United States Letters Patent listed on Schedule A attached hereto and the patent applications listed on Schedule B attached hereto, together with any reissue, extension, improvement, division, continuation or continuation-in-part of any thereof, in the U.S. or worldwide, and all rights of priority resulting from the filing in the United States of the patents or patent applications identified on Schedule A or B.

ASSIGNOR agrees that ASSIGNEE may apply for and receive patents for SUBJECT MATTER in ASSIGNEE's own name.

ASSIGNOR agrees to do the following, when requested, and without further consideration, in order to carry out the intent of this Assignment: (1) execute all oaths, assignments, powers of attorney, applications, and other papers necessary or desirable to fully secure to ASSIGNEE the rights, titles and interests herein conveyed; (2) communicate to ASSIGNEE all known facts relating to the SUBJECT MATTER; and (3) generally do all lawful acts that ASSIGNEE shall reasonably consider desirable for vesting in ASSIGNEE the rights, titles, and interests herein conveyed. ASSIGNOR further agrees to provide any successor, assign, or legal representative of ASSIGNEE with the benefits and assistance provided to ASSIGNEE hereunder.

ASSIGNOR represents that ASSIGNOR has the rights, titles, and interests to convey as set forth herein, and covenants with ASSIGNEE that ASSIGNOR has made or will make hereafter no assignment, grant, mortgage, license, or other agreement affecting the rights, titles, and interests herein conveyed.

This Assignment may be executed in one or more counterparts, each of which shall be deemed an original and all of which may be taken together as one and the same Assignment.

Name and Signature

Date of
Signature

Date Declaration
Executed By This Person

Neptuna Pharmaceutical Corporation

By Stephen R. Coefield, MD
[ASSIGNOR NAME]
STEPHEN R. COEFIELD, MD

31 984
December 30, 1997

31 SET
December 30, 1997

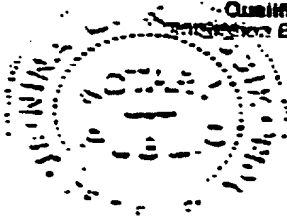
Callego-Neptune Asset Purchase Agreement

State of New York
County of New York

On December 31, 1997 before me, _____ personally
appeared Stephen R. Gortine personally known to me or proved to me on the basis
of satisfactory evidence to be the person whose name is subscribed to the within instrument and
acknowledged to me that (he/she) executed the same in (his/her) authorized capacity, and that by
(his/her) signature on the instrument the person, or the entity upon behalf of which the person
acted, executed the instrument.

Mina L. Kuscsik
Notary

Notary Seal
MINA L. KUSCSIK
Notary Public, State of New York
No. 4602348
Qualified in Suffolk County
Commission Expires JAN 31, 1999



1002163-110

SCHEDULE A

Patents			
<u>Country</u>	<u>Patent No.</u>	<u>Date of Patent</u>	<u>Title</u>
U.S.A.	5,504,117	4/2/96	Pharmacologic Preparation for the Treatment of Anal Disorders
U.S.A.	5,693,576	12/2/97	Nitric Oxide Donor Composition and Method for Treatment of Anal Disorders

TOP SECRET

SCHEDULE B**Patent Applications**

<u>Country</u>	<u>Serial/Appi. No.</u>	<u>Filing Date</u>	<u>Title</u>
Israel	113,448	4/20/95	Nitric Oxide Donor Composition and Method for Treatment of Anal Disorders
China	95190687.9	4/10/95	Nitric Oxide Donor Composition and Method for Treatment of Anal Disorders
Korea	700442/1996	4/10/95	Nitric Oxide Donor Composition and Method for Treatment of Anal Disorders
Mexico	960386	4/10/95	Nitric Oxide Donor Composition and Method for Treatment of Anal Disorders
Singapore	9600491-6	4/10/95	Nitric Oxide Donor Composition and Method for Treatment of Anal Disorders
Canada	2168247	4/10/95	Nitric Oxide Donor Composition and Method for Treatment of Anal Disorders
Japan	500835/96	4/10/95	Nitric Oxide Donor Composition and Method for Treatment of Anal Disorders
EPC	95916254.5	4/10/95	Nitric Oxide Donor Composition and Method for Treatment of Anal Disorders
U.S.A.	08/970,447	11/14/97	Nitric Oxide Donor Composition for Treatment of Anal Disorders



MAP (0692-00453065
11-2045006
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231 - 00452065

MAY 27, 1998

PTAS
TOWNSEND AND TOWNSEND AND CREW LLP
MARGARET A. POWERS
TWO EMBARCADERO CENTER, 8TH FLOOR
SAN FRANCISCO, CA 94111-3834



100676211A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/27/1998

REEL/FRAME: 9052/0861
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

NEPTUNE PHARMACEUTICAL CORPORATION DOC DATE: 12/31/1997

ASSIGNEE:

CELLEGY PHARMACEUTICALS, INC.
1065 EAST HILLSDALE BOULEVARD, SUITE 418
FOSTER CITY, CALIFORNIA 94404

SERIAL NUMBER: 08970447
PATENT NUMBER:

FILING DATE: 11/14/1997
ISSUE DATE:

SERIAL NUMBER: 08250555
PATENT NUMBER: 5504117

FILING DATE: 05/27/1994
ISSUE DATE: 04/02/1996

SERIAL NUMBER: 08666264
PATENT NUMBER: 5693676

FILING DATE: 06/20/1996
ISSUE DATE: 12/02/1997

MAYA BENNETT, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

1002153-1001
FOR THE STATE

- A. Patent Application No.(s)**

B. Patent No.(s)

5,693,676

[illegible]

PATENT ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, the person(s) named below (referred to as "ASSIGNOR" whether singular or plural) has sold, assigned, and transferred and does hereby sell, assign, and transfer to Cellegy Pharmaceuticals, Inc., a California corporation, having a place of business at 1065 East Hillsdale Boulevard, Suite 418, Foster City, CA 94404 ("ASSIGNEE"), for itself and its successors, transferees, and assignees, the entire worldwide right, title, and interest in all inventions and improvements ("SUBJECT MATTER") that are disclosed in United States Letters Patent listed on Schedule A attached hereto and the patent applications listed on Schedule B attached hereto, together with any reissue, extension, improvement, division, continuation or continuation-in-part of any thereof, in the U.S. or worldwide, and all rights of priority resulting from the filing in the United States of the patents or patent applications identified on Schedule A or B.

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This Assignment may be executed in one or more counterparts, each of which shall be deemed an original and all of which may be taken together as one and the same Assignment.

<u>Name and Signature</u>	<u>Date of Signature</u>	<u>Date Declaration Executed By This Person</u>
---------------------------	------------------------------	---

Neptuna Pharmaceutical Corporation

By Stephen R. Goefide, MD
[ASSIGNOR NAME]
STEPHEN R. GOEFIDE, MD

³¹ DEC 31 1997
December 30, 1997

³¹ DEC 31 1997
December 30, 1997

SCHEDULE A

Patents

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<u>Country</u>	<u>Serial/App. No.</u>	<u>Filing Date</u>	<u>Title</u>
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EPC	95916264.5	4/10/95	Nitric Oxide Donor Composition and Method for Treatment of Anal Disorders
U.S.A.	08/970,447	11/14/97	Nitric Oxide Donor Composition for Treatment of Anal Disorders

State of New York
County of New York

On December 31, 1997 before me, _____ personally
appeared Stephen R. Gortine personally known to me or proved to me on the basis
of satisfactory evidence to be the person whose name is subscribed to the within instrument and
acknowledged to me that [he/she] executed the same in [his/her] authorized capacity, and that by
[his/her] signature on the instrument the person, or the entity upon behalf of which the person
acted, executed the instrument.

Mina L. Kuscsik
Notary

Notary Seal
MINA L. KUSCSIK
Notary Public, State of New York
No. 4602348
Qualified in Suffolk County
Commission Expires JAN 31, 1999



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